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January 24, 2025

VIA ECF AND ELECTRONIC MAIL

Hon. Katherine Polk Failla
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007
failla.nysdchambers@nysd.uscourts.gov

MEMO ENDORSED

Re: *Trustees of the New York City District Council of Carpenters Pension Fund, Welfare Funds, Annuity Fund, and Apprenticeship, Journeyman Retraining, Educational and Industry Fund, et al v. Level 5 Construction, Inc.*, Case No. 1:25-cv-00111-KPF

Dear Hon. Katherine Polk Failla,

This firm represents the Trustees of the New York City District Council of Carpenters Pension Fund, Welfare Fund, Annuity Fund, Apprenticeship Journeyman Retraining, Educational, and Industry Fund and Charity Fund (collectively, the “Funds”). We write to respectfully request a thirty (30) day adjournment of the deadline to submit a motion for summary judgment.

On January 13, 2025, this Court so ordered that the Funds move for confirmation of the arbitral award in the form of a motion for summary judgment on or before January 28, 2025 (Doc. No. 9). After the order was issued, the Respondent contacted this firm to discuss settlement, and the parties have come close to an agreement. The next meeting at which the Trustees would approve any settlement is February 4, 2025. We respectfully request a 30-day adjournment of the briefing schedule, with moving papers due on February 27, 2025, in order to allow the parties to continue to negotiate and finalize a settlement if one is approved.



We thank you for your attention to this matter.

Respectfully submitted,

Maura Moosnick, Esq.

cc: Level 5 Construction, Inc. (via email)

Application GRANTED. The scheduling order deadlines are ADJOURNED as follows:

Petitioners shall move for confirmation of the arbitral award in the form of a motion for summary judgment on or before **February 27, 2025**; Respondent's opposition, if any, is due on or before **March 13, 2025**; and Petitioners' reply, if any, is due on or before **March 20, 2025**.

Petitioners shall serve the motion for summary judgment upon Respondent electronically and by overnight mail on or before **March 3, 2025**, and shall file an affidavit of such service with the court on or before **March 5, 2025**.

If the parties would like to be referred to a settlement conference before the magistrate judge or the Court-annexed Mediation Program, the parties can file a letter request with the Court.

The Clerk of Court is directed to terminate the pending motion at docket entry 12.

Dated: January 24, 2025
New York, New York

SO ORDERED.

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE